IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION Nos. 9323, 9365, 9366, 9367, 9368, 9369 AND 9370 OF 2005.

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Writ Petition No.9323 of 2005.

Between:

1. P. Rajagopal S/o. P.C. Rajappa
R/o. Muttala Village, Atmakur Mandal, Anantapur District.
AP.02/U.0168
2. Jinka Somaiah S/o. Venkataramanappa,
R/o. State Bank Colony, Dharmavaram, Anantapur District.
AP.02/U.4582
3. Bandi Narayana S/o. Veeraiah
R/o. Door No. 13-495, Sonikota, Dharmavaram, Anantapur District.
AP.02/U.4326
4. T. Sankara Reddy S/o. Chinna Chowdappa
R/o. Kattakindapalli, H/o. Kumuthuru, Dharmavaram Mandal, Anantapur District.
AP.02/U.4493
5. A. Seshappachary S/o. Narayana
R/o. Maruru, Rapthadu Mandal, Anantapur District.
AP.02/U.5344
6. A. Aswartha Narayana Swamy S/o. Narayanappa
R/o. Pula Obaiah Palle, H/o. Pinnadari, Tadimarri Mandal, Anantapur District.
AP.02/U.4060
7. A. Venkata Ramana S/o. Sannappa
R/o. Door No. 2-10, Durganagar, Dharmavaram, Anantapur District.
AP.27/U.7061
8. T. PRasad S/o. T. Sanjeevappa
R/o. Door No. 11-1-291, Aravindanagar, Anantapur, Anantapur District.

AP.02/U.4552
9. R. Mahaboob Basha S/o. Mazeed Khan
R/o. Door No.23-167, Siddaiahgutta, Dharmavaram, Anantapur District.
AP.02/U.3890
10. K. Venkata Ramudu S/o. Narayanappa
R/o. Ramnagar, Dharmavaram, Anantapur District.
AP.02/U.4683
11. E.K. Prasad S/o. E.K. Lakshminarayana
R/o. Door.No. 9-42, Angadi Veedhi, Kadapa, Kadapa District.
AP.04/U.5026
12. M.Topee Peera S?o. Honnuru Sab
C/o. C. Gopal S/o. Yerriswamy, Maruru Village, Rapthadu Mandal, Anantapur District.
AP.02/U.3772
13. K.C. Ramudu S/o. Chinna Ramappa
R/o. Maruru P.O. Rapthadu Mandal, Anantapur District.
AP.02/U.4675
14. A. Yellappa S/o. A. Pullanna
H/o. Pinnadari, Tadimarri Mandal, Anantapur District.
15. G. Mohammad Ali S/o. Khalender Baig
R/o. Door No. 23/501-1, Near S.P. Talkies, Siddaiah Gutta,
Dharmavaram, Anantapur District.

..... PETITIONERS

AND

1. The Government of Andhra Pradesh, represented by its Principal Secretary, Transport, Roads & Buildidngs (Tr-II) Department, Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority,
Anantapur, Anantapur District.
3. The Secretary, Regional Transport Authority,
Kadapa, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ or Order, Direction more particularly one in the nature of Writ of Mandamus, declaring the impugned G.O.Ms.No. 152, Transport, Roads & Buildings (TR-II) dated 1-12-2001 as illegal, arbitrary without jurisdiction and contrary to the first schedule of the A.P. Motor Vehicles Taxation Act 1963 and consequently direct the Respondents to collect tax of Rs. 1,000/- for the petitioner's vehicles each bearing Registration Numbers as mentioned in the above cause-title for quarter as per G.O.Ms.No. 216 Transport, Roads & Buildings (TR-II) dated 4-12-1997 and to pass such other order or orders as this Honourable Court may deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr. E.MARUTHI RAJA

Counsel for the Respondents: GP FOR TRANSPORT

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WRIT PETITION No. 9365 of 2005

Between:

K. Jagannath S/o. Krishnamurhty
Main Road, Machilipatnam, Krishna District.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, represented by its Principal Secretary, Transport, Roads & Buildings (TR-II) Dept., Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority, Vijayawada, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any Writ or Order, Direction more particularly one in the nature of writ of Mandamus, declaring the impugned G.O.Ms.No. 152, Transport, Roads & Buildings (TR-II) dated 1-12-2001 as illegal, arbitrary without jurisdiction and contrary to the first schedule of the A.P. Motor Vehicles Taxation Act 1963 and consequently direct the Respondents to collect tax of Rs. 1,000/- for the petitioner's vehicles bearing Registration Numbers A.P.16 TU-0651 & A.P. 16Y 2002 for quarter as per G.O.Ms.No. 216 Transport, Roads & Buildings (TR-II) dated 4-12-1997 and to pass such other order or orders as this Honourable Court may deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr. V.V.ANIL KUMAR

Counsel for the Respondent s: GP FOR TRANSPORT

WRIT PETITION No. 9366 of 2005

Between:

V. Ramchandra Reddy, S/o. Dhanuma Reddy,
R/o. Neggipudi, Maruteru (Post & Village), Penumantra Mandal,
West Godavari District.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, represented by its Principal Secretary,Transport, Roads & Buildings (TR) Department, Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority,
Eluru, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue any Writ or order, direction more particularly one in the nature or Writ of Mandamus, declaring the impugned G.O.Ms.No.152, Transport, Roads & Buildings (TR-II) dated: 1.12.2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P. Motor Vehicles Taxation Act, 1963 and consequently direct the respondents to collect tax of Rs. 1,000/- for the petitioner's vehicles bearing Registration No. A.P. 37 V 7349 for quarter as per G.O.Ms.No.216 Transport, Roads & Buildings (TR-II), dated: 4.12.1997.

Counsel for the Petitioner: Mr. V.V.ANIL KUMAR

Counsel for the Respondents: GP FOR TRANSPORT

WRIT PETITION No. 9367 of 2005

Between:

Konala Gangi Reddy, S/o. Satyanarayana Reddy,
R/o. Pedda Veedi, Maruteru, Penumantra Mandal, W.G.District.

..... PETITIONER

AND

1. The Goverment of A.P., rep. by its Prl., Secretary, Transport, R & B (TR-) Department, Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority,
Eluru, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue any writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned G.O.Ms.Nod.152, Transport, Roads, & Buildings (TR-II), dated: 1-12-2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P. Motor Vehicle Taxation Act 1963 and consequently direct the respondents to collect tax of Rs. 1,000/- for the petitioner's vehicle bearing Registration No. A.P.37V 7498 for quarter as per G.O.Ms.No. 216 Transport, Roads & Buildings (TR-II) dated 4.12.1997.

Counsel for the Petitioner: Mr. V.V.ANIL KUMAR

Counsel for the Respondents: GP FOR TRANSPORT

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WRIT PETITION No. 9368 of 2005

Between:

D.Subramanyeswara Rao, S/o. Ventateswara Rao,
Opp. Stella College, Kanchukota Road, Ramchandra Nagar, Vijayawada-8.

..... PETITIONER

AND

1. The Government of A.P., represented by its Principal Secretary,Transport, Roads & Buildings (TR-Dept), Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority,
Vijayawada, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue any Writ or order, direction more particularly one in the nature or Writ of Mandamus, declaring the impugned G.O.Ms.No.152, Transport, Roads & Buildings (TR-II) Dt. 1.12.2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P. Motor Vehicles Taxation Act1963 and consequently direct the respondents to collect tax of Rs. 1,000/- for the petitioners vehicles bearing Registration Nos. 1) AP 16 U 8249 and 2) AP 16 U 8259 for quarter as per G.O.Ms.No.216 Transport, Roads & Buildings (TR-II), dated 4.12.1997.

Counsel for the Petitioner: Mr. V.V.ANIL KUMAR

Counsel for the Respondents: GP FOR TRANSPORT

WRIT PETITION No. 9369 of 2005

Between:

P. Radhakrishna, S/o. Suryanarayana,
R/o. 16-23, Ramachandra Rao Peta, Penugonda (Post) & Mandal, West Godavari District.

..... PETITIONER

AND

1. The Goverment of A.P., represented by its Principal Secretary, Transport, R & B (TR-) Department, Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority,
Eluru, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue any writ or order direction more particularly one in the nature of writ of Mandamus, declaring the impugned G.O.Ms.No.152, Transport, Roads, & Buildings (TR-II), dated 1-12-2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P. Motor Vehicle Taxation Act 1963 and consequently direct the respondents to collect tax of Rs. 1,000/- for the petitioner's vehicle bearing Registration No. A.P.09 X 0250 for quarter as per G.O.Ms.No. 216 Transport, Roads & Buildings (TR-II) dated 4.12.1997.

Counsel for the Petitioner: Mr. V.V.ANIL KUMAR

Counsel for the Respondents: GP FOR TRANSPORT

WRIT PETITION No. 9370 of 2005

Between:

G. Sasidhar, S/o. G.V. Bhaskara Rao,
R/o. 4-35(A), Naeggipudi, Maruteru, Penumantra Mandal, West Godavari District.

..... PETITIONER

AND

1. The Goverment of A.P., represented by its Principal Secretary, Transport, R & B (TR-) Department, Secretariat, Hyderabad.
2. The Secretary, Regional Transport Authority,
Eluru, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue any writ or order direction more particularly one in the nature of writ of Mandamus, declaring the impugned G.O.Ms.Nod.152, Transport, Roads, & Buildings (TR-II), dated: 1-12-2001 as illegal, arbitrary without jurisdiction and contrary to the 1st schedule of the A.P. Motor Vehicle Taxation Act 1963 and consequently direct the respondents to collect tax of Rs. 1,000/- for the petitioner's vehicle bearing Registration No. A.P.37 U 8938 for quarter as per G.O.Ms.No. 216 Transport, Roads & Buildings (TR-II) dt. 4.12.1997.

Counsel for the Petitioner: Mr. V.V.ANIL KUMAR

Counsel for the Respondent s: GP FOR TRANSPORT

The Court at the admission stage made the following :

ORAL COMMON ORDER:

(per Honourable Sri Justice B.Sudershan Reddy)

The subject matter that arises for consideration in this batch of writ petitions is squarely covered by the judgment rendered by us on 20.4.2005 in W.P.No.6179 of 2005 and batch whereunder and whereby we have upheld the impugned G.O.

Following the said judgment, this batch of writ petitions shall stand dismissed. No costs.

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B.SUDERSHAN REDDY, J.

26.4.2005.

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C.V.RAMULU, J.

VR.

To

1. The Principal Secretary to

Government of Andhra Pradesh, Along with copy of

Transport, Roads & Buildidngs (Tr-II) judgment made in

Department, Secretariat, Hyderabad. W.P.No.6179/2005
2. The Secretary, Regional Transport and batch, dated:

Authority, Anantapur, 20.4.2005.

Anantapur District.
3. The Secretary, Regional Transport

Authority, Kadapa, Kadapa District.

4) The Secretary, Regional Transport

Authority, Vijayawada, Krishna District.

5) The Secretary, Regional Transport

Authority, Eluru, West Godavari District.

6) Two CCs to Government Pleader

for Transport, High Court Buildings,

Hyderabad (OUT).

7) 2 CD copies

8) 1 CC to Mr. MARUTHI RAJA